

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
7137P001

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
10/500,023

INTERNATIONAL APPLICATION NO.  
PCT/KR02/01540

INTERNATIONAL FILING DATE  
13 August 2002

PRIORITY DATE CLAIMED  
20 December 2001

**TITLE OF INVENTION**

NEW PROCESS FOR THE PREPARATION OF OPTICALLY ACTIVE 2-[6-(SUBSTITUTED ALKYL)-1,3-DIOXAN-4-YL] ACETIC ACID DERIVATIVES

**APPLICANT(S) FOR DO/EO/US**

Inhee Lee, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)).
20. ☒ Other items or information.

Response to Notification of Missing Requirements; copy of Notification of Missing Requirements; return receipt  
postcard.

Rec'd OCT/PTO 07 MAR 2005

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/500,023</b>		INTERNATIONAL APPLICATION NO. <b>PCT/KR02/01540</b>		ATTORNEY'S DOCKET NUMBER <b>7137P001</b>	
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The following fees have been submitted				<b>CALCULATIONS PTO USE ONLY</b>	
21.	<input type="checkbox"/> Basic national fee	\$300		\$	
22.	<input type="checkbox"/> Examination fee				
		If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4) \$100			
		All other situations \$200		\$	
23.	<input type="checkbox"/> Search fee				
		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100			
		International Search Report prepared and provided to the Office \$400			
		All other situations \$500			
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	-100 / 50 =		x	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	11 - 20 =	0	x	\$	0.00
Independent claims	2 - 3 =	0	x	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees are reduced by 1/2.				\$	0.00
<b>SUBTOTAL =</b>				\$	0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/>				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	40.00
<b>TOTAL FEES ENCLOSED =</b>				\$	170.00
Amount to be refunded:					\$
charged:					\$

03/10/2005 LLANDGRA 00000093 10500023

01 FC:167 130.00 OP

a. ☒ A check in the amount of \$ 170 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-2666 in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.

March 1, 2005

DATE

SIGNATURE

**Stephen M. De Klerk**

NAME

**46,503**

REGISTRATION NUMBER

SEND ALL CORRESPONDENCE TO:  
 Blakely, Sokoloff, Taylor & Zafman LLP  
 12400 Wilshire Boulevard, 7th Floor  
 Los Angeles, CA 90025  
 Telephone: (408) 720-8300

Attorney's Docket No.: 007137.P001

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	
	)	
Inhee Lee, et al.	)	
	)	Examiner: Not Yet Assigned
Application No.: 10/500,023	)	
	)	Art Unit: Not Yet Assigned
Filed: June 21, 2005	)	
	)	
For: NEW PROCESS FOR THE	)	
PREPARATION OF OPTICALLY	)	
ACTIVE 2-[6-(SUBSTITUTED	)	
ALKYL)-1,3-DIOXAN-4-YL]	)	
ACETIC ACID DERIVATIVES	)	
	)	

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
 UNDER 35 U.S.C. § 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) mailed on January 11, 2005, please find enclosed:

- (1) The Declaration and Power of Attorney executed by the inventors in compliance with 37 CFR § 1.497(a) and (b);
- (2) A check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.492(e) (late oath or declaration);

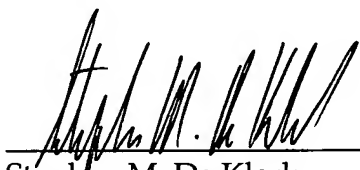
(3) A copy of the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US).

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: March 1, 2005

  
\_\_\_\_\_  
Stephen M. De Klerk  
Reg. No. 46,503

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408) 720-8300

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First-Class Certificate of Mailing

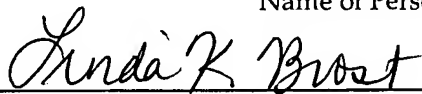
I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on:

March 1, 2005

Date of Deposit

Linda K. Brost

Name of Person Mailing Correspondence

  
\_\_\_\_\_  
Signature

March 1, 2005

Date

SMD

Choonzwa Pharma



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,023	Inhee LEE	7137P001

INTERNATIONAL APPLICATION NO.
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PCT/KR02/01540

LA. FILING DATE	PRIORITY DATE
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08/13/2002

12/20/2001

Blakely Sokoloff Taylor & Zafman  
12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025

RECEIVED

JAN 14 2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
LOS ANGELES

CONFIRMATION NO. 2721

371 FORMALITIES LETTER



\*OC000000014923647\*

Date Mailed: 01/11/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/21/2004
- Copy of the International Search Report filed on 06/21/2004
- Copy of IPE Report filed on 06/21/2004
- Preliminary Amendments filed on 06/21/2004
- U.S. Basic National Fees filed on 06/21/2004
- Priority Documents filed on 06/21/2004

ENTERED

JAN 14 2005

STATUS DB-LA

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,023	PCT/KR02/01540	7137P001

FORM PCT/DO/EO/905 (371 Formalities Notice)